

COPY ORIGINAL
Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Amendment of Section 73.202(b),)
FM Table of Allotments,)
FM Broadcast Stations.)
(Christine, Texas))

MB Docket No. 07-78
RM-11366

FILED/ACCEPTED
JUN 18 2007

Federal Communications Commission
Office of the Secretary

To: Office of the Secretary
Attn: Chief, Audio Division, Media Bureau

COMMENTS

Capstar TX Limited Partnership, CCB Texas Licenses, L.P., Clear Channel Broadcasting Licenses, Inc., and Rawhide Radio, L.L.C. (together, "Joint Parties") hereby submit their Comments in the above captioned proceeding. *See Notice of Proposed Rule Making (NPRM)*, DA 07-1854, released April 27, 2007. The purpose of these Comments is to urge the Commission to withhold action in this proceeding until there is a final resolution in MM Docket No. 00-148. As discussed in footnote 2 of the *NPRM*, the proposed allotment of Channel 245C3 at Christine, Texas conflicts with a proposal to allot Channel 245C1 at San Antonio, Texas, which is part of a larger Counterproposal filed by the Joint Parties in MM Docket No. 00-148. As recognized by the *NPRM*, MM Docket No. 00-148 is not final and the Christine allotment proposed in this proceeding is contingent on the final outcome of MM Docket No. 00-148.

On October 10, 2000, the Joint Parties filed their original proposal in MM Docket 00-148. The proposal met all of the Commission's technical rules at that time. The Commission dismissed the proposal for procedural reasons but it is still pending by virtue of an Application for Review filed by the Joint Parties on May 4, 2004. Over the last 7 years the Commission has

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accepted and considered several conflicting proposals,¹ first due to the failure to enter the original proposal into the Commission's data base and then, after the dismissal of the proposal, due to the *Auburn*² policy. In fact, as recently as June 15, 2007, the Commission issued the *Report and Order* in MB Docket No. 05-151 (DA 07-2544) allotting another conflicting channel. Perhaps a more prudent and efficient practice would be for the Commission to rule on the pending Application for Review filed by the Joint Parties, rather than to continue to accept and adopt contingent proposals. Thus, to better deal with this problem created through no fault of the Joint Parties, the Commission should delay action in this Christine proceeding until after acting on the Application for Review in MM Docket 00-148. In addition, the Commission should not act on other conflicting rule making proposals or applications until after finality of MM Docket 00-148. This will ensure that the Joint Parties will have their proposal in MM Docket 00-148 considered on its merits without the influence of other contingent, subsequently filed proposals.

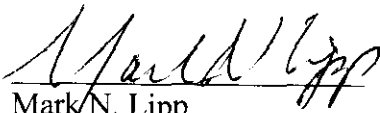
¹ For example, it dismissed petitions for rule making for Benjamin, Texas and Mason, Texas that had been erroneously accepted and docketed. See *Benjamin and Mason, Texas*, 19 FCC Rcd 470 (2004). It took similar actions in *Tilden, Texas*, 19 FCC Rcd 9112 (2004); *Goldthwaite, Texas*, 19 FCC Rcd 4810 (2004); and *Shiner, Texas*, 19 FCC Rcd 4327 (2004).

² *Auburn, Alabama, et al.*, 18 FCC Rcd 10333 (MB 2003).

Respectfully submitted,

RAWHIDE RADIO, LLC

By:

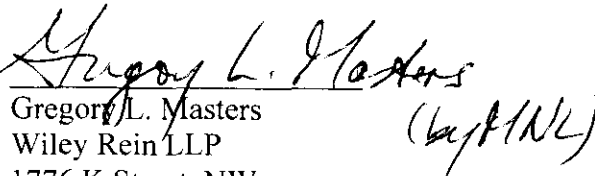


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June 18, 2007


CERTIFICATE OF SERVICE

I, Elbert Ortiz, in the law firm of Wiley Rein LLP, hereby certify that I have on this 18th day of June, 2007, caused to be hand-delivered, a copy of the foregoing "**Comments**" to the following:

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